12/14/75

Dear Jim,

Because there is no need for a flurry of letters back and forth I'll not be mailing this immediately. I'll write it while it is on my mind and before I'll quote what I'll be filing. quoting. File

I have always regarded Jimmy Ray's letters as confidential. However, there is a paragraph in one he wrote December 9, delayed in reaching me (opened) until yesterday, I think you should know:

"I forgot to mention it above but Bud was opposed to the Playboy interview, apparently under any conditions. I doubt he will change his mind and there may not be any point in talking to the media unless it would in some way assist in winning the trial, anyway, I'll let you all decide that."

I'll explain what is not obvious.

As Bud found the time to prepare for and exercise discovery the one time he could take a European vacation from which he returned with but three thoroughly committed working days before we had to leave for the first hearing (preliminary, of 10/17), so also did he find it essential that he go to California on business for the period Jim would be preparing our final argument, styled Memorandum. (And I describe it as an excellent job.) In between time, the holiday break during the hearing, he also had to go to California on law business. I am not suggesting that he was not on business, but both during and after the hearing as well as in the crucial days just before it he had other law business that took priority.

On this last trip it was his plan to stop off with his Nashville family for Thanksgiving. Jim asked him to do something with the Hooker firm and he did it. Jim did not expect him to see Ray but he did. Nothing wrong with that. But from what Jimmy has written me, aside from this quote the purpose was bullshit and negativism in other areas that are essential in Jimmy's interest. One example: civil suits. These are not only important for the criminal defense, they provide Jimmy with a way of leading a decent life if he is acquitted in a trial and not subjected to other improprieties. From what Jimmy says Bud did not merely tell him he would not be part of civil suits. He opposed them. Because Jimmy is without funds there would be nothing wrong in Bud's telling him he just can't afford any more pro bono work. It appears to be more than that from what Jimmy wrote. Or he took it that way. I have no explanation. Civil suits are indicated, just and pretty clearcut. There may be a question of timing on which lawyers might disagree but I have made independent inquiry and there is not on fact.

Now Bud left on this trip pretty certainly aware of my reaction to his untimely and unnecessary letter on the proposed interview to Jimmy. My recollection is that he did not tell Jimmy he'd be stopping off to see him on the return even though his plans before leaving included Nashville on returning. This had the effect of not giving Jimmy the opportunity of seeking other views or mustering his own thoughts or preparing questions. And neither had a proposal before him on which to decide, to which Bud also saw I leave further conclusions to you. Not that recent news may not have mooted it anyway, but I also have other concerns with regard to what this kind of attitude and performance means to the case.

Jim's work in this has been at extreme sacrifice. It means he has had to let other cases from which there could be return slide. This includes several collections for me and a solid and potentially remunerative malpractise action. Bud has lost no business. He has received coast-to-coast advertising from Jim's work and mine, in fact. However, Jim is x neither financially able nor experienced enough to handle any civil actions alone. Bud simply ism't competent to if he were willing because he also lacks experience in that specialty. However, one specialist to whom I spoke in Memphis saw it in seven figures. An evaltuation also of Bud's advice to Jimmy. Welll see. Best regards,

CCOL